GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Department for Women, Children, Disabled & Senior Citizens - Establishment of Children's Friendly Court - Permission accorded to the Spl. Commissioner, WD&CW Dept. to make necessary works of repairs, renovations, alterations to VIth ADJ Court in District Court Complex at Guntur for establishment of Child Friendly Court at Guntur – Administrative Sanction - Orders – Issued.

DEPTT. FOR WOMEN, CHILDREN, DIFFERNTLY ABLED & SENIOR CITIZENS (Prog.1)

G.O.RT.No. 140 Dated: 23-07-2018.

Read the following:

1. From the Spl. Commissioner, WD&CW Department, Guntur, Lr.No.4447/ICPS/2017, dt. 14.02.2018.
2. Govt. Memo No. 13/44/2017/Prog.I/A1, dt.16/02/2018.
3. From the Spl. Commissioner, WD&CW Department, Guntur, Lr.No.4447/ICPS/2017, dt. 08.05.2018.
4. From the Registrar (Protocol), High Court of AP., LrNo.Roc.No.001/JJ Cell/2018, dt.03.05.2018.
5. From the Executive Engineer, APSPHCL, Vijayawada, Lr.No.EE/ PHC/ GNT/ Conversion of CBCID court to Child Friendly Court/18-19, dt.20.06.2018.

ORDER:

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The Hon'ble Supreme Court of India, New Delhi in its orders dated 09.02.2018 in WP(Civil) Nos 473/2005 has made certain directions. One of the direction for establishment of child friendly courts, is as extracted below:

> Finally, we request and urge the Chief Justice of each High Court to seriously consider establishing child friendly courts and vulnerable witness courts in each district. Inquiries under the JJ Act and trials under other statutes such as the Protection of Children from Sexual Offences Act, 2012 the Prohibition of Child Marriage Act, 2006, trials for sexual offences under the Indian Penal Code and other similar laws require to be conducted with a high degree of sensitivity, care and empathy for the victim. It is often said that the experience in our courts of a juvenile accused of an offence or the victim of sexual offence is traumatic. We need to have some compassion towards them – even juveniles in conflict with law, since they are entitled to the presumption of innocence – and establishing child friendly courts and vulnerable witness courts is perhaps one manner in which the justice delivery system can respond to ease their pain and suffering. Another advantage of such child friendly courts and vulnerable witness courts is that they can be sued for trials in which adult women are victims of sexual offences since they too are often traumatized by the not so friendly setting and environment in our courts.

2. In the reference 1st read above, the Spl. Commissioner, WD&CW Dept., Guntur has stated that he inspected the Private Buildings / Government Residential Quarters along with District Judge, Guntur jointly, but they were found not feasible for establishment of child friendly court. In that connection the District Judge Guntur has offered to provide accommodation in the Building which is presently being used as 6th Additional Munsiff Magistrate Court and CBCID Court. That Building was jointly inspected by them. The District Judge further informed that earmarking of the Building for Children Court can be considered if a proposal is addressed to them and necessary funds are allocated for making required renovations. Therefore, requested to accord permission for addressing District Judge, Guntur for allocating the building for establishment of Children Court. In the reference 2nd read above, permission accorded to the Special Commissioner, W.D. & C.W. to address the District Judge, Guntur for allocating the building for establishment of Children Court and furnish the required budget proposal to Govt., for taking further necessary action.

3. The Spl. Commissioner, WD&CW Dept., A.P., Guntur in his letter 3rd read above, has stated that the Deputy Executive Engineer, A.P. State Police Housing Corporation, Vijayawada has furnished the estimations for an amount of Rs. 25,00,000/- for the work of

renovations, repairs for establishment of Child Friendly Court. He has therefore, requested to accord permission to meet the expenditure of Rs. 25,00,000/- from unspent balances available in the item State Project Support Unit(SPSU) in ICPS. The State Project Support Unit phased out after implementation of the scheme has gained momentum. In the SPSU has been phase out on 2015-16. Therefore the unspent amount will be utilized for establishment of child friendly Court for the purpose of providing speedy disposal of trails, which is an initiative for Child Friendly Justice system to protect the Child Rights at the best interest of the children.

4. The Registrar (Protocol), I/c Registrar (Admn.), High Court in this letter 4th read above has requested to consider to provide Video Conference facility, CC Camera Surveillance in the premises, separate provision for toilets for Advocates, Public Prosecutor, Staff ect., Accordingly, the Executive Engineer, APSPHC Ltd, Vijayawada has been requested to incorporate the said changes and re-draft the plans & estimates accordingly for the Child Friendly Courts. In turn, the Executive Engineer, APSPHC Ltd, Vijayawada in the reference 5th read above, has furnished the revised - estimations for an amount of Rs. 50,00,000/- for the work of Special repairs, renovations, alterations, video conference equipment, CC cameras & general toilets to Child Friendly Court at Guntur duly incorporating the said points.

5. The Finance (FMU.WCD&SCs) Dept. has been consulted on the proposal to accord permission to meet the expenditure for an amount of Rs.25,00,000/- from unspent balances available in the item State Project support Unit(SPSU) in ICPS as requested by the Spl. Commissioner, WD&CW Dept. for establishment of Child Friendly Court and to release remaining balance amount of Rs.25,00,000/- as additional funds and they have informed that the proposal of the Department is agreed in Finance department subject to issue administrative sanction order in this regard. After issue of administrative sanction order, the Department may come up with re-appropriation proposal, if possible, otherwise propose additional funds duly mentioning the head of account.

6. After careful examination of the matter, and keeping in view of the orders of Hon'ble Supreme Court of India in WP (Civil) No.473/2005, Government hereby accord permission to the Special Commissioner, WD&CW Dept. to make necessary works of repairs, renovations, alterations video conference equipment, CC cameras & general toilets to VIth ADJ Court in District Court Complex at Guntur for establishment of Child Friendly Court for the purpose of providing speedy disposal of trails which is an initiative for Child Friendly Justice System to protect the Child Rights at the best interest of the children and permission is also hereby accorded to go ahead with the existing amount available in the heads.

7. The Special Commissioner, Women Development and Child Welfare Department, A.P., Guntur shall take necessary action accordingly and send re-appropriation proposal or if amount is not available, then send proposal for releasing of additional funds duly mentioning the head of account, for taking further necessary action.

8. This order is issued with the concurrence of the Finance (FMU.WCDLH) Department vide their U.O.No.49027/45/FMU(WCDLH)/2018, dt.15.07.2018.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

K.SUNITHA,
SECRETARY TO GOVERNMENT.

To,
The Spl. Commissioner, W.D. & C.W. Deptt., Guntur , A.P.
Copy to:
The Home Department.
The Executive Engineer, APSPHC Ltd., Vijayawada.
The Accountant General A.P. Hyderabad
The Pay & Accounts Officer, A.P., Ibrahimpatnam, Vijayawada.
The Director of Treasuries & Accounts, A.P., Vijayawada.
The Finance (FMU- WD) Department.
The PS to Secretary, Dept., WCDA&SCs
SF/SC.

//FORWARDED BY ORDER //

SECTION OFFICER